

Feb. 11. 2004 3:19PM Myers & Kaplan

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Attorney Docket No.: 20740-RA
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.: 10/034,507)
Filed: 12/28/01) Examiner: Menon, Krishnan S.
Inventor: Yu, Guanghua et al.) Art Unit: 1723
For: Method and Apparatus for)
Separating Emulsified Water)
from Fuel)

STATEMENT OF THE SUBSTANCE OF TELEPHONIC INTERVIEW
DATED JANUARY 29, 2004 BETWEEN EXAMINER KRISHNAN S. MENON
AND APPLICANT'S ATTORNEY THOMAS R. WILLIAMSON III

Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Myers & Kaplan,
Intellectual Property Law L.L.C.
1899 Powers Ferry Road
Suite 310
Atlanta, GA 30339

February 11, 2004

Dear Sir:

On or about January 29, 2004, Applicant's attorney, Thomas R. Williamson III (47,180), held a telephonic interview with Examiner Krishnan S. Menon in the above-referenced application. Claim 1 was discussed and prior art reference Williamson et al., Patent No. 5,443,724, was discussed. More specifically, Applicant's attorney asserted that Williamson et al. '724 neither teaches, suggests nor discloses a second cross-flow filter as in

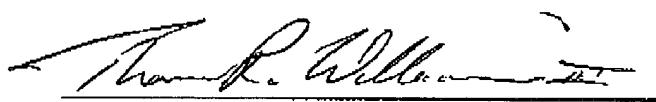
Applicant's device, in particular drawing Examiner's attention to lines 56-63 of column 10 of said reference and pointing out to Examiner that the second filter of Williamson et al. '724 is not a cross-flow filter under the accepted definition of a cross-flow filter. The Examiner stated his position that Claim 1 stands rejected under 103 as being unpatentable over Williamson et al. '724 in view of Sweet et al. (U.S. Pat. No. 4,978,454). Applicant's attorney further discussed the possibility of adding a limitation to Claim 1 to traverse Sweet et al. '454 regarding recirculation, wherein Sweet et al. '454 recirculates both retentate and permeate, while Applicant's invention recirculates only retentate. Applicant does not believe such a limitation is necessary and is only considering same. Examiner stated that any such limitation would not be entered as a matter of course, since application is After Final.

Applicant's attorney stated that he would submit this interview summary with a response to the Office Action of December 11, 2003; said response is filed herewith and this statement of the substance of the interview is hereby intended to supplement said Office Action response. No exhibits or demonstrations were conducted.

The herein statement of the substance of the interview pursuant to MPEP Section 713.04 is believed to be complete. If,

however, the Examiner feels that this statement is not complete, Applicant's attorney respectfully requests notification thereof to rectify any deficiencies.

Respectfully submitted, this 11th day of February, 2004.



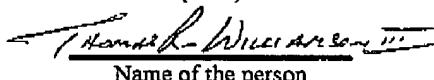
Thomas R. Williamson III
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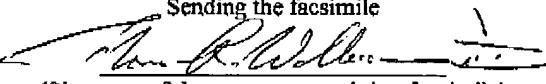
CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence, along with any papers referred to therein as being attached or enclosed therewith, was sent via facsimile to: Assistant Commissioner for Patents, Alexandria, VA 22313-1450 on:

February 11, 2004
(Date)



Name of the person
Sending the facsimile



(Signature of the person transmitting facsimile)